

in the area, as well as to add value to the ad valorem tax rolls within the City in order to increase the revenue available for the provision of ongoing municipal services, and

WHEREAS, the City Commission has determined that during this economic downturn, the cost of impact fees can be a deterrent to new construction and development, and

WHEREAS, the City Commission believes a temporary suspension of impact fees will encourage new construction and development within the City and assist in overall economic development efforts, and

WHEREAS, the City Commission further finds that economic conditions are improving, and the failure to collect impact fees since this waiver was first enacted is beginning to have deleterious effects on the City's budget and its ability to fund capital projects, such that it is appropriate to set a date on which this waiver of impact fees will terminate, and

WHEREAS, as part of its effort to attract industry and create jobs, the City of Leesburg needs the ability to offer economic incentive programs to developers under appropriate circumstances, and as part of any such economic incentive package needs the ability to negotiate the amount, and manner of payment, of impact fees,

**NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE
CITY OF LEESBURG, FLORIDA:**

SECTION I.

Until September 30, 2013, the City of Leesburg waives collection of any impact fees imposed under its Code of Ordinances, including but not limited to the Water System Capacity Impact Fee under §22 – 324, the Wastewater System Capacity Impact Fee under §22 – 325, and the Municipal Services Impact fees for police services, fire and rescue services, and recreation services, under §§7 – 251 and 7 – 252, up to the maximum amount specified in Section II below. Commencing October 1, 2013, this waiver shall terminate and the City shall commence collecting all impact fees due under its ordinances, on any project for which impact fees would otherwise have been levied but for this waiver. This waiver shall apply only to projects constructed within City limits of the City of Leesburg.

SECTION II.

In no case shall the total impact fees waived under this Ordinance for any single project exceed \$100,000.00. If the total impact fees due on a single project are in excess of \$100,000.00 then the developer of the project shall be required to pay the amount of impact fees which exceeds \$100,000.00 and the amount paid will be allocated among the Water, Wastewater and Municipal Services impact fee categories, ratably according to the percentage of the total impact fees which would have been paid on the project but for the suspension created by this Ordinance. For the purposes of this Section II the term “project” shall mean: (i) any commercial or industrial building or group of commercial or industrial buildings on the same parcel of real property or on contiguous parcels of real property under common ownership or owned by more than one entity when the two